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PTO/SB/80 (8/2000)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995,  
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/840,257
Filing Date	April 23, 2001
First Named Inventor	R. Scott et al.
Group Art Unit	1772
Examiner Name	S. Hon
Attorney Docket Number	6512-11-EJF

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

1. **Submission required under 37 C.F.R. § 1.114.**

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed \_\_\_\_\_ on \_\_\_\_\_
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. 23-0455

- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) **12/12/2002 AWONDAF1 00000024 230455 09840257**
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) **01 FC:1801 740.00 CH**
- iii. ☐ Other \_\_\_\_\_

- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**


Name (Print / Type)	Evan J. Federman	Registration No. (Attorney / Agent)	37,060
Signature		Date	December 6, 2002

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Name (Print / Type)	Mary M. Helmken	Date	12/6/02
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.


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In re Application of:

Examiner: S. Hon

Group Art Unit: 1772

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AMENDMENT

This is a response to the Office Action mailed June 6, 2002 and is being submitted with a Petition for a Three Month Extension of Time and the appropriate fee extending the date for a response to December 6, 2002. Should an additional fee be due, please charge Deposit Account Number 23-0455. In view of the following remarks, Applicants submit that the application is in condition for allowance and reconsideration is respectfully requested.

IN THE CLAIMS

Please insert the following new claims.